

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RUSSELL D. TITTLE,)	CASE NO. 1:21-CV-00398
)	
Plaintiff,)	JUDGE CHARLES E. FLEMING
)	
vs.)	MAGISTRATE JUDGE
)	DARRELL A. CLAY
COMMISSIONER OF SOCIAL SECURITY ADMINISTRATION,)	
)	OPINION AND ORDER ADOPTING
Defendant.)	MAGISTRATE’S REPORT AND
)	RECOMMENDATION

On February 19, 2021, Plaintiff Russell D. Tittle filed a Complaint seeking judicial review of Defendant Commissioner of Social Security’s decision to deny his social security disability benefits and supplemental security income applications. (Doc. 1). On May 11, 2022, Magistrate Judge Darrell A. Clay recommended that the Court REVERSE the Commissioner’s decision and REMAND this matter for further proceedings. (Doc. 18).

Fed. R. Civ. P. 72(b)(2) provides that the parties may object to a report and recommendation within fourteen (14) days after service. On May 13, 2022, the Government filed a Response indicating that it will not object to the Magistrate Judge’s Report and Recommended Decision. (Doc. 19).

Under the Federal Magistrates Act, a district court must conduct a *de novo* review of those portions of the Report and Recommendation to which the parties have objected. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). Absent objection, a district court may adopt a Report and Recommendation without further review.

Accordingly, the Court **ADOPTS** Magistrate Judge Clay's Report and Recommendation, incorporating it fully herein by reference, **REVERSES** the Commissioner's decision, and **REMANDS** this case to the Administrative Law Judge for further proceedings consistent with the recommendation.

IT IS SO ORDERED.

Date: May 13, 2022



CHARLES E. FLEMING
UNITED STATES DISTRICT JUDGE